

CITY COUNCIL.

Another Attempt to Fix the Water Rates.

THE BROADWAY EXTENSION.
Property-Owners Protest Against the Award of the Commission—Bond Election Called for March 6—Miscellaneous.

Despite the rain the nine members of the City Council were promptly on hand at 10 o'clock yesterday morning for the transaction of business. President Boushall called the august body to order at 10:15.

After the usual formalities, President Boushall, as acting Mayor, presented a special message which was read by the clerk. Mayor Hazard is absent from the city, and recognizing the fact that the day's work would not be completed without a message from the Mayor, President Boushall fired the following word:

"The question of a tunnel through the hill on the line of Third street, between Flower and Hill streets, thus affording accommodations to a large portion of our city that is now cut off from ready communication with the business center, is a matter of importance.

"Times are hard and money scarce, and I suggest for your consideration the advisability of putting the chain-gang to work on the western end of the proposed tunnel as soon as they finish the work on First street in Boyle Heights. I am told that it is desirable to have the chain-gang work at such a place as their presence will not be a nuisance to pedestrians.

"Working the prisoners in a tunnel would meet this view and at the same time be doing a work that would otherwise have to be paid for in money. Work in a tunnel would protect them from the winter's rains, while the place is so near the city prison that the use of several teams could be dispensed with, thus saving the city several thousands a year on this one item.

"There is a great deal of low ground near the west end of the proposed tunnel, the filling up of which would be desirable. Plans and specifications of the tunnel are on file."

A WAVE OF ECONOMY.

The Supply Committee reported back the requisition of the City Engineer for a horse and buggy without recommendation.

Then a wave of economy spread over the chamber and Councilman Nickell moved that the requisition be denied. The motion was adopted, only Councilman Summerland voting nay.

Councilman Nickell then moved that the Finance Committee investigate and ascertain how many horses the city was feeding for the heads of departments, and that in the future street car bills of city officials be not paid.

Councilman McGarry moved as an amendment that a committee be appointed to make an investigation into the matter, and report. This motion was adopted, and the President appointed Councilmen McGarry, Nickell and Alford as the committee.

On motion of Councilman Summerland, Mr. Gaffey, a member of the Board of Education from the Eighth Ward, was granted thirty days' leave of absence.

RESERVOIR SITE NO. 4.

The report of the special committee appointed to investigate as to the title to reservoir site No. 4 was taken up. The report of the committee gave a history of the title of the city to the site of the reservoir. It came from a canal and dam company, which owned a right to overflow sixty acres of land, the city paying \$8000 for it. The easement allowed the company to build a dam, and a 25-foot dam was put at the reservoir, the being as high as the public safety would allow. When the water is within ten feet of the top of this dam the water covered 13 1-100 acres; when it reaches the top 25 and 98-100 are covered. The proposition now is to deed to the owners of the reservoir the northern one-half of the site, and for the owners to entirely deeded the southern one-half to the city "for park and reservoir purposes."

Mr. McGarry was opposed to this. He did not think the city was getting a fair deal. The city owned a right to overflow those sixty-six acres. What good was that land to any one so long as the city held that right to overflow? It was tantamount to an absolute ownership, and he didn't think that in receiving only a deed "for reservoir and park purposes" the city was getting a fair deal.

Mr. Tullis announced himself as opposed to deeding this land for park purposes. He was opposed to establishing a lot of little parks all over the city and voting money to maintain them. He wanted to see big grand pleasure parks in the city where people could go on Sundays and recreate themselves. For 5 cents you could travel to any of the large parks from any part of the city, but the idea of putting park down in this hole, which is fit for nothing else in the world than for reservoir purposes, was to his notion an idle one. This place would be needed for reservoir purposes all the time for years hence. It would be a long time before a reservoir could be established on the outside of the city.

After some consideration the discussion the report of the committee was adopted.

ELECTRIC LIGHTS.

The Gas and Light Committee reported in favor of granting several petitions for new electric light masts.

Councilman Innes gave it out flat that he was opposed to any increase of the electric light service.

Councilman McGarry said that Councilman Innes' economy was not like charity. It did him good at home. The Second Ward was well lighted, but in the Seventh Ward lights were needed.

One of those periodical waves of economy then spread over the Council and the solemn unloosened themselves on the subject of "the taxpayers' money."

Finally, though, the report of the committee was adopted, the understanding being the expense was not increased to the city, but that the candle power of certain other lights now existing was to be decreased and given to the new localities.

THE CITY CORRAL.

The matter of a city corral came up next. The Land Committee reported recommending that the site offered by Mrs. Madigan be accepted and a lease drawn up at \$30 per month. The site is at the corner of Aliso and Alameda streets.

The City Superintendent stated that right then there was two feet of water in that corral.

The whole matter went over for one week and the committee was instructed to receive new bids.

The Mayor's veto of the contract for the construction of a bridge across the Arroyo de Los Lunos was reported adversely by the special committee to whom it was referred. The contract was approved and the City Attorney was instructed to sign in behalf of the City.

The Board of Public Works report was then read and the recommendations as made and previously printed in THE TIMES, were adopted.

A petition from the Soldiers' and Sailors' League that the preference be given to old soldiers in employing help in the street department, was after some considerable discussion, referred to the Street Superintendent by a vote of 5 to 4.

WATER RATES.

The report of the Committee of the Whole fixing water rates for the year commencing July 1, 1891 was submitted by Chairman Rhodes. The ordinance was read by the clerk. Councilman Alford moved to amend the ordinance by making the rate for three-roomed house 75 cents, with ten cents for each additional room.

Councilman Rhodes thought that the report as made by the committee should stand without change.

The report of the City Attorney bearing upon the subject was read as follows:

"I have drawn in accordance with the instructions of your committee an ordinance fixing the water rates for the coming year. I respectfully submit the following suggestions in regard to the same: The restriction in Section 2 that the water companies shall have the right where there is a large consumption of water to apply meters and collect meter rates, except as to private residences and lawns, is a discrimination

which I think should not be made and is a discrimination between consumers which I think is invalid, and in conflict with the general law providing that no discrimination shall be made. There would be just as much reason for applying a meter to a private residence in case water was being used there as to any other consumer. For the same reason I am of the opinion that the proviso in section 3, that that section shall apply only to lawns and private residences should be stricken out. By making the change in section 2, as I suggest, so that the water companies shall have a right to apply a meter to any consumer, house and lot, with the necessity of section 3, which section, in my opinion, delegates to the Water Committee, or attempts to delegate to that committee the power to sit and judicially determine whether or not there is a waste of water, I believe that no such power could be delegated to the committee; besides, that clause is so imperfectly drawn that in case it should appear that there was a large waste of water, there is no provision made for the payment for the amount of water wasted, except the arbitrary sum of \$50. In regard to the fact of how much water was wasted and whether it was worth 50 cents or \$50. By making the changes I have suggested the whole matter will be equalized, provided that the meter rate is fixed in proportion to the house rate. I suppose that in fixing the rate—a rate of a five-room house, you have estimated the probable amount of water which will be used by the ordinary sized family. Why, then, such a house for a month, and in making the house rate you have based your calculations on the amount which should be paid for the amount of water which would probably be used. By dividing the total house rate by the estimated amount of water in cubic feet or gallons you will get the rate by the cubic foot or gallon rule. In my opinion, should be the meter rate. In other words, that it should not make any difference to the consumer where water is not wasted, whether he is charged by the house rate or the meter rate, and having thus fixed the meter rate in proportion to the house rate no injustice will be done to a consumer by the company placing a meter on his property to measure his consumption of water. But as you have arranged now it strikes me that the meter rate is intended more to punish the water consumer than to equalize his water rate."

Councilman Nickell moved that the ordinance be referred to the City Attorney and the Water Committee for amendment with instructions to report at the afternoon session.

A recess was then taken until 1:30 o'clock.

Afternoon Session.

The Council met at 1:30 o'clock, with President Boushall in the chair and all the members present with the exception of Councilman Tufts, who came in at 2 o'clock.

Consideration of the City Attorney's report was resumed, and two ordinances, which were reported—one fixing the salary of the City Justice's clerk, and the other making it unlawful to kill song birds in the city limits—were passed under a suspension of the rules.

In the matter of the opening of Second street, the City Attorney reported as follows:

"An ordinance changing the name of Davies street having been passed by the Council, while the ordinance for the opening of said street was still under consideration, I have drawn a new ordinance for the opening of said street under its new name, and herewith present the same to the Council. It is also so drawn as to meet the objections of the Superior Court in a recent case decided."

In this connection a communication was read from property-owners asking that East Second street be speedily opened, after which the ordinance was passed under a suspension of the rules.

Councilman McGarry called attention to the fact that the Second Street Railroad Company had been granted a franchise to run tracks on grade, and had paid no attention to the order. He therefore moved that the City Attorney be instructed to commence action against the company, which motion prevailed by a unanimous vote.

The City Attorney also presented an ordinance calling a special election for March 17th for the purpose of submitting the question to the people of funding a portion of the city's debt, which passed under suspension of the rules.

The remainder of the City Attorney's report was then read as follows, and action taken as indicated:

"About three years ago H. W. Latham brought an action against the city to quiet title to the property known as the Plaza Engine House, which action was tried before Judge Latham, and was decided by Judge Latham in favor of Latham. By instructions of the Council, I prepared the case on appeal to the Supreme Court, which court about two weeks ago affirmed the decision of Judge Latham and decided that the city had no title to this lot. From my knowledge of the case I am satisfied that it would be a useless expenditure of money to apply for a rehearing in the matter, and I therefore recommend that the Council take steps to either rent this property, if it is any longer desired for engine-house purposes, or else move out."

"In July, 1886, the city entered into a contract in writing with W. T. Williams by which it agreed, in consideration of his assisting the City Attorney in all litigation concerning the opening of Los Angeles street, that the city would pay him \$1000. After the street had been opened, Williams presented his demand for the \$1000, which was rejected by the Council, and he brought an action thereon, which case was tried by a jury before Judge Wade, and judgment rendered in favor of Williams for the amount. He proved upon trial of the case that he had assisted in preparing the original papers and assisted Judge McKinley, who was then City Attorney, and that he had offered his services to Mr. Daly, who succeeded Judge McKinley, and also to myself. The court held that the offer of his services was all that was needed, and if they were declined, he was given notice of appeal to the Supreme Court, since which Mr. Williams has offered to take \$1000 in full for his claim, interest and costs, and believing that this judgment will be affirmed by the Supreme Court, I do not feel like putting the city to the expense of printing transcript and briefs, and therefore recommend that he be paid the sum of \$1000, in full of his judgment." Finance Committee.

"In the suit of Yarnell against the city of Los Angeles, the Supreme Court has decided that the section of our charter providing for the loaning of the city's money is unconstitutional. Believing that the decision is not right I shall ask the Supreme Court for a rehearing of the case, and I ask to be permitted to have such petition printed." Finance Committee.

On the conclusion of the reading of the City Attorney's report, the special order for 2 o'clock, the hearing of protests against the opening of Broadway, from Tenth to Main streets, was taken up.

The protesters allege that the proposed improvement is not demanded by any public necessity at this time, that it is burdensome, and that the ordinance passed the day Council by the vote of at least two members who were directly or logically interested in the matter.

Joe Bayer appeared and asked that his name be taken from the protest, as did also one or two others.

Mr. Minor also appeared before the Council, and spoke against the opening of the street on the ground that the award of benefits and damages were not equitable, but were out of proportion to certain specified instances, and thought that at least the matter should be referred back for a re-adjustment of the assessments.

Mr. Minor proceeded at some length, when Councilman McGarry interrupted him to say that he had a communication from Mr. Melville, searcher of records, to the effect that the records showed that Broadway, or Fort street, had been dedicated through to Pico street. If this was the case, there was no necessity for continuing the matter further. Therefore he moved that the matter be referred to the City Attorney and Land Committee of the Council to investigate the matter. He did not believe that the city should pay other people for land which already belonged to the corporation.

Councilman Rees said he would support the motion if Mr. McGarry would allow him to move a postponement of the hearing so as to keep the record straight.

This was satisfactory to Mr. McGarry, but on a vote being taken, the Council refused to postpone the hearing, only Councilman McGarry and Rees voting to postpone, and Mr. Minor continuing his remarks. He was interrupted by C. M. Wells, one of

of the commissioners, who took issue with Mr. Minor about some of his statements, saying they were untrue, but when asked to specify in what particulars, made no reply.

Mr. Minor was followed by Mr. Woodward at some length in the same vein, saying that though the matter was deferred for a short time a railroad franchise could be sold for enough to pay all the expenses.

George Cepheid also spoke at some length, saying that while he thought some errors had been committed, he rather favored the proposition to open at this time.

Several other property-owners also spoke, protesting against the award and benefits, after which further action was deferred for two weeks, and the matter of looking up the title to the street was referred to the City Attorney and the Land Committee of the Council.

The Finance Committee reported approving a number of demands, which were approved.

DEMANDS RECEIVED.

On motion of Councilman Rees, the demands of Messrs. Adams and Davis, for alleged services as special policemen, were finally rejected by the Council.

The report of the City Engineer was presented, and the various recommendations adopted.

The ordinance fixing water rates for the ensuing year, as amended, was then read, but as it was not satisfactory, Councilman McGarry moved the matter be referred to the Council in Committee of the Whole, at a special meeting to be held on Wednesday morning at 10 o'clock, which motion prevailed.

One or two unimportant reports were read and filed.

The Sewer Committee reported in the matter of the right-of-way of the Hollenbeck Arroyo sewer, that condemnation proceedings by a deed bridge on the motion of Councilman Rees, action was deferred for one week.

The Building Committee reported recommending that the City Hall be repaired in accordance with the plans and specifications on file with the City Clerk, and that bids be advertised for. Adopted.

The Bridge Committee reported against the petition for a new bridge on the Temple road, and that as right-of-way for the aprons and approaches of the Pasadena avenue bridge had been secured, bids be advertised for. The report was adopted.

Superintendent Muchmore briefly explained the repairs needed on the City Hall, which he said were necessary for the protection of the building, and his suggestions were endorsed.

After the usual motions, the transaction of some miscellaneous business and the reference of the petitions, the Council adjourned until Wednesday morning at 10 o'clock.

BOARD OF EDUCATION.

Routine Business Cleared Up at Last Night's Session.

The Board of Education met in regular session last night, with Martin Marsh in the chair in the absence of President Shafer, and Secretary Baker present.

The request of the High School alumni to be allowed to use the hall in the High School for its meetings was discussed and the committee asked further time.

The Building Committee reported that the Cottier system of ventilation in the Ann-street school is a failure. The committee asked that the system be not adopted in that school at least.

The same committee reported that the steps to the High School have not been finished, as the contractor will not risk the brick as it is ordered to do. It was only a verbal contract, and on motion of Mr. Boal it was decided that the department furnish the brick.

The matter of laying a sidewalk in front of the day-street school was referred to the Superintendent of Janitors with power to act.

On motion of Dr. Barber the Cottier ventilation in the A.M. street school were abandoned.

A. M. Sheldon, Miss Carrie Blanford and Miss Clara M. Healy, who have been acting as substitutes, were elected regular teachers.

It was decided to give the spring vacation from the 6th of March to the 23d of the same month.

Prof. Lawson was appointed writing teacher.

Bills amounting to \$1573.36 were ordered paid.

The salaries for teachers, amounting to \$18,470, were ordered paid.

Mr. Witmer suggested that an attempt be made to secure the thirty or forty feet from the city cemetery, which belongs to the city, to be added to the High School grounds.

Mr. Davis, in a few words, asked that the resignation of Miss C. Aull be received. He stated that she had not offered her resignation, but—

At this stage of the proceedings Mr. Witmer moved that the lady be granted a leave of absence without pay until the end of the year.

After a little further discussion the board adjourned.

DIED.

RYDER—At the home of her parents February 16, 1891, at 417 Pasadena avenue, May, eldest daughter of Mr. and Mrs. J. C. Ryder. Funeral services will be held in the Presbyterian Church, corner of Broadway and 1st, at 2 o'clock this afternoon.

"Ere sin could harm, or sorrow fade, Death came with friendly care. The open eye had to be conveyed, And bade it blossom there."

"This lovely bud, so young, so fair, Called hence by early doom. Just came to bloom in a flower In Paradise below."

MEINE—At his brother's home in Garvanza, February 15, Fred Meine, 34 years of age, beloved wife of Mrs. Naomi V. Dodsworth, beloved wife of Mrs. Naomi V. Dodsworth, died February 15, 1891, Wednesday, February 15, 1891, from the late residence, No. 2104 S. Seventh at Kansas and Colorado papers please copy.

BORN.

BURNS—To the wife of Hon. J. F. Burns, a son, Sunday, February 15, 1891.

KISSED ANOTHER MAN'S WIFE. "You scoundrel," yelled young Jacob Green "You kissed my wife upon the street,—ought to knock you down."

"That's where you're wrong," good Brown replied, "In accents mild and sweet; I kissed her, that I've not denied, And I kissed her on the cheek."

"And I did so because she looked so handsome—the very picture of beauty and health. What is the secret of it?"

"Well," replied Green, "since you ask it, I will tell you; she uses Dr. Pierce's Favorite Prescription. I accept your query. Good night."

An unhealthy woman is rarely, if ever, beautiful. The peculiar diseases to which women of the sex are subject, are prolific causes of pale, sallow faces, blotched with unsightly pimples, dull, listless eyes and emaciated forms. Women so afflicted, can be permanently cured by using Dr. Pierce's Favorite Prescription.

"Favorite Prescription" is the only medicine for women sold by druggists, under a positive guarantee from the manufacturer, that it will give satisfaction in every case, or money will be refunded. It is a positive cure for leucorrhoea, painful menstruation, unnatural suppressions, prostrations, or falling of the womb, weak back, vertigo, nervousness, bearing-down sensations, chronic congestion, inflammation and ulceration of the uterus.

WORLD'S DISPENSARY MEDICAL ASSOCIATION, Manufacturers, Buffalo, N. Y.

DR. PIERCE'S PELLETS Purely Vegetable. Laxative, or Cathartic, according to size of dose. By druggists, 25 cents a box.

MILITARY.

Changes in the Department of Arizona.

By direction of the Secretary of War, the following changes in the stations of troops serving in the Department of Arizona are ordered:

Headquarters, Lieutenant Colonel, staff and band, Tenth Infantry, are relieved from duty at Fort Marcy, and will proceed to Fort Stanton, N. M., and take station.

Company D (Dugan's), Tenth Infantry, are relieved from duty at Fort Marcy, and will proceed to Fort Wingate, N. M., and take station.

Mr. E. W. Whittemore, and Companies C (Davis's) and H (Drown's) Tenth Infantry, are relieved from duty at Fort Union and will proceed to Fort Wingate, N. M., and take station.

Mr. Richard Combs, and Companies A (Bowman's) and F (Russell's) Ninth Infantry, are relieved from duty at Fort Wingate, N. M., and will proceed to Whipple Barracks, Ariz., and take station.

Mr. Kimball, chief quartermaster of the department, has been ordered to Fort Union and may on public business.

Mr. Joseph W. Wham, paymaster, has been granted leave of absence for one month from January 30.

Board of Supervisors. The Board of Supervisors met yesterday, and Mitchell, avenue, Norbert street, Tien-nan avenue, Adams street and Storey street in Knight's addition to Alhambra, were declared vacated.

At the request of the executive committee of the citrus fair, \$400 was appropriated. A petition to change the route of the road from San Francisco's call to Newhall was changed, was taken under advisement.

The petition asking for the opening of the Los Nietos and Whittier road was denied.

THE LADIES DELIGHTED. The pleasant effect and the perfect safety with which ladies may use the liquid fruit laxative, Syrup of Figs, under all conditions, make it their favorite remedy. It is pleasing to the eye and to the taste, gentle, yet effectual in acting on the kidneys, liver and bowels.

THE AUCTION SALE of a large number of Lots and Cottages at Rhodes & Reed's, corner Second and Broadway, has been postponed till Thursday, February 20th, at 10 a.m., weather permitting.

SEE MRS. DR. WELLS, who has for many years successfully practiced in giving prompt relief in female diseases, even from first treatment. Painless rectal methods. Electricity used in all forms. Sprayed Salt Vapor Baths for positive cure for rheumatism, catarrh, bladder and kidney troubles; guaranteed cure for dropsy, also for organic or functional heart disease. Prescription sent by mail for \$1 and 2-cent stamp. MRS. DR. WELLS, The Clifton, 225 N. Broadway; office 2 to 5.



Is a compound of pure herbs with prunes, figs and other fruits, forming a pleasant laxative tonic.

Removes and cures indigestion, Habitual Constipation, Piles, Biliousness and Headache, and purifies the blood. Is pleasant to take, and is the best family remedy ever produced.

Sold in bottles, 50c and \$1. Be sure to ask for California Fruit Syrup. The name is on the wrapper. Do not be persuaded to take anything else. This caution is given to prevent disappointment. Manufactured only by the

CALIFORNIA FRUIT SYRUP CO., San Francisco and Los Angeles, Cal.

For sale by all druggists.

Read the following testimonials: Having used California Fruit Syrup in my family, I have much pleasure in certifying to its merits.

HENRY SUSSKIND, Los Angeles, Feb. 14, 1891.

Having used California Fruit Syrup in my family for the last three months, I can certify that as a family remedy it is unrivaled. It is pleasant to take and its benefits are at once apparent.

HENRY SMITH, 448 Wall st., Los Angeles, Cal. February 12, 1891.

I have used California Fruit Syrup in my family for the past two months with the most satisfactory results. It is much better than its proprietors represent it to be.

February 11, 1891.

JAN T. JONES, Attorney-at-law, Fulton Block, Los Angeles, Cal. Wm. J. De Van will endorse the above.

Faber's Golden Female Pills.

For Female Irregularities: nothing like them in the market. Never fail. Successfully used by prominent ladies monthly. Guaranteed to relieve suppressed menstruation.

SURESAFE! CERTAIN! Don't be humbugged. Save Time, Health, and money; take nothing else.

Sent to any address secure by mail on receipt of price, \$2.00.

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— POPULAR TERMS —

— Purest Spring Water. —

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CONDENSED MILK
Ask your physician and druggist for his opinion of the **EAGLE BRAND**. AS A FOOD FOR INFANTS IT HAS NO EQUAL.

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And get my prices before you buy.
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Splendid Climate, Excellent Soil, Good Schools, Clear Water, First-Class Hotels.

The Orange, Lemon, Olive and Wine Grape grow in perfection. "Fallbrook has, in my judgment, incomparably the best climate we have met with on our

